

1 THE HONORABLE RICARDO S. MARTINEZ  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

8 REBECCA STELMAN, MARK OCHOA, IAN  
9 COLEMAN, CAITLYN HOLLERBACH, LOUIS  
10 WEATHERSTON, DEMETRIES WRIGHT, JONAS  
11 NYARIS, JANNI SAMUEL, MAIRA HERNANDEZ,  
and LINDSAY MOORE, individually and on  
behalf of all others similarly situated;

12 Plaintiffs,

13 v.

14 AMAZON.COM INC.; AMAZON LOGISTICS,  
15 INC.; TEM EXPRESS LOGISTICS LLC dba TEMEX  
16 LOGISTICS and TEML, a Washington limited  
liability company; TORITSE ORUBU,  
17 individually and on behalf of the marital  
community composed of TORITSE ORUBU  
and J. DOE ORUBU; BUTCHIE BOY  
18 PRODUCTIONS, INC. d/b/a EXSELON, a  
Washington corporation; JEFFREY BUTCHER,  
19 individually and on behalf of the marital  
community composed of JEFFREY BUTCHER  
and KATHRYN BUTCHER; KATHRYN BUTCHER,  
20 individually and on behalf of the marital  
community composed of KATHRYN BUTCHER  
and JEFFREY BUTCHER; ASTEROIDS GROUP  
21 LLC dba ASTG, a Washington limited liability  
company; KINGSLEY ONUCHUKWU,  
22 individually and on behalf of the marital  
community composed of KINGSLEY  
ONUCHUKWU and J. DOE ONUCHUKWU;  
23 ANAHIT MANUKYAN, individually and on  
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NO. 2:22-cv-01632-RSM

**STIPULATED MOTION TO EXTEND  
DEADLINES AND SET BRIEFING  
SCHEDULE**

**NOTED FOR CONSIDERATION:  
DECEMBER 21, 2022**

1 behalf of the marital community composed of  
 2 ANAHIT MANUKYAN and J. DOE MANUKYAN;  
 3 BENCHMARK TRANSPORT, LLC, a Washington  
 4 limited liability company; DAMIEN WAGNER,  
 5 individually and on behalf of the marital  
 6 community composed of DAMIEN WAGNER  
 7 and J. DOE WAGNER; ALDEN RADONCIC (aka  
 8 ALDEN RADD), individually and on behalf of  
 9 the marital community composed of ALDEN  
 10 RADONCIC and J. DOE RADONCIC; THE TOTAL  
 11 PACKAGE LOGISTICS, LLC, a Washington  
 12 limited liability company; JEREMY FIXLER,  
 13 individually and on behalf of the marital  
 14 community composed of JEREMY FIXLER and  
 15 HEATHER FIXLER; HEATHER FIXLER  
 16 individually and on behalf of the marital  
 17 community composed of HEATHER FIXLER  
 18 and JEREMY FIXLER; NANCY LUNA,  
 19 individually and on behalf of the marital  
 20 community composed of NANCY LUNA and J.  
 21 DOE LUNA; ASLAR LOGISTICS LLC, a  
 22 Washington limited liability company; LAURA  
 23 JOHNSON, individually and on behalf of the  
 24 marital community composed of LAURA  
 25 JOHNSON and JOSHUA JOHNSON; JOSHUA  
 26 JOHNSON, individually and on behalf of the  
 27 marital community composed of JOSHUA  
 JOHNSON and LAURA JOHNSON; GOPLAY  
 LOGISTICS LLC, a Washington limited liability  
 company; TRACY PELLETT, individually and on  
 behalf of the marital community composed of  
 TRACY PELLETT and J. DOE PELLETT;  
 AVANATOR.COM LLC, a Washington limited  
 liability company; RICHARD ZECH, individually  
 and on behalf of the marital community  
 composed of RICHARD ZECH and J. DOE ZECH;  
 POLE POSITION EXPRESS LOGISTICS LLC, a  
 Washington limited liability company; DENNIS  
 HANNAH, individually and on behalf of the  
 marital community composed of DENNIS  
 HANNAH and J. DOE HANNAH; TRUE  
 MANAGEMENT LLC, a Washington limited  
 liability company; CHRISTOPHER LILLEY,  
 individually and on behalf of the marital

1 community composed of CHRISTOPHER  
2 LILLEY and J. DOE LILLEY; B.B.W. HOLDINGS,  
3 INC., a Michigan corporation; BARRY  
4 WILLIAMS, individually and on behalf of the  
5 marital community composed of BARRY  
6 WILLIAMS and J. DOE WILLIAMS; PARAGON  
DELIVERIES INC., a Washington corporation;  
and JORDAN OFFUTT, individually and on  
behalf of the marital community composed of  
JORDAN OFFUTT and J. DOE OFFUTT;

7 Defendants.

10 **I. STIPULATION**

11 Plaintiffs and Defendants Amazon.com Inc., Amazon Logistics, Inc. (collectively  
12 "Amazon"), TEM Express Logistics LLC dba Temex Logistics and TEML, Toritse Orubu, Aslar  
13 Logistics LLC, Laura Johnson, Joshua Johnson, Avanator.com LLC, Richard Zech, The Total  
14 Package Logistics, LLC, Jeremy Fixler, Heather Fixler, Nancy Luna, Asteroids Group LLC dba  
15 ASTG, Kingsley Onuchukwu, Anahit Manukyan, Butchie Boy Productions, Inc. d/b/a Exselon,  
16 Jeffrey Butcher, Kathryn Butcher, Paragon Deliveries Inc., Jordan Offutt, True Management LLC,  
17 and Christopher Lilley (collectively with Amazon, the "Defendants"), by and through their  
18 undersigned counsel of record, hereby STIPULATE AND AGREE to set the below proposed  
19 briefing schedule for Plaintiffs' Motion for Remand, ECF No. 18, and extend the deadline for  
20 Defendants to respond to Plaintiffs' complaint and the deadlines set forth in the Court's Order  
21 Regarding Initial Disclosures, Joint Status Report and Early Settlement, ECF No. 7, until Plaintiffs'  
22 motion for remand has been resolved.

23 Plaintiffs filed their class action complaint in King County Superior Court on September  
24 30, 2022. ECF No. 1-1. Amazon filed a notice of removal on November 14, ECF No. 1, before any  
25 Defendants answered Plaintiffs' complaint. On November 17, the Court entered an order  
26 setting the deadlines for the Rule 26(f) conference on January 6, 2023, initial disclosures on  
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1 January 13, and joint status report and discovery plan on January 20. ECF No. 7. On November  
 2 21, the Court entered the parties' stipulation and order extending Defendants' deadline to  
 3 answer or respond to the complaint to December 21. ECF No. 12. On December 14, Plaintiffs  
 4 moved the Court to remand this case back to the King County Superior Court, noting the motion  
 5 for January 20, 2023.

6 In light of Plaintiffs' pending motion for remand, there is good cause to extend the  
 7 deadlines in the Court's scheduling order (ECF No. 7) until after the motion for remand is  
 8 resolved. Specifically, there is a possibility the case may be remanded to King County Superior  
 9 Court. If so, the parties' efforts at coordinating and conducting a Rule 26(f) conference,  
 10 exchanging initial disclosures, and drafting and filing a joint status report and discovery plan—  
 11 all before resolution of the motion—would be for naught. The parties agree it would be a  
 12 better use of time and resources to focus on the issues raised in Plaintiffs' motion for remand  
 13 and allow the Court the opportunity to resolve the motion first. Accordingly, the parties  
 14 STIPULATE AND AGREE, subject to the Court's approval, to extend the deadlines set forth in ECF  
 15 No. 7 until after the Court enters an order resolving Plaintiffs' motion for remand. If the Court  
 16 retains jurisdiction over this case, the parties will file a stipulated motion to reset these  
 17 deadlines within seven (7) days of the entry of the Court's order resolving Plaintiffs' motion for  
 18 remand.

19 For these same reasons, there is good cause to extend Defendants' deadline to answer  
 20 or otherwise respond to Plaintiffs' complaint. Accordingly, the parties STIPULATE AND AGREE,  
 21 subject to the Court's approval, to extend Defendants' deadline to answer or otherwise  
 22 respond to Plaintiffs' complaint until fourteen (14) days after the Court enters an order  
 23 resolving Plaintiffs' motion for remand.

24 The parties further stipulate to re-note Plaintiffs' motion for remand and set a briefing  
 25 schedule to accommodate several deadlines and obligations the parties' counsel have in other  
 26 matters. Accordingly, the parties STIPULATE AND AGREE, subject to the Court's approval, to re-  
 27 note Plaintiffs' motion for remand (ECF No. 18) and set the following briefing schedule:

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
<b>DEADLINE</b> for Defendants' Response to Plaintiffs' Motion for Remand	1/16/2023	1/18/2023
<b>DEADLINE</b> for Plaintiffs' Reply in Support of Motion for Remand	1/20/2023	2/3/2023
<b>NOTING DATE</b> for Plaintiffs' Motion for Remand	1/20/2023	2/3/2023

STIPULATED TO AND DATED this 4th day of January, 2023.

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*Butchie Boy Productions, Inc. d/b/a Exselon,*  
*Jeffrey Butcher, Kathryn Butcher, Paragon*  
*Deliveries Inc., Jordan Offutt, True*  
*Management LLC, and Christopher Lilley*  
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## II. ORDER

It is hereby Ordered, as follows:

1. The deadlines set in ECF No. 7 are extended until after the Court enters an order resolving Plaintiffs' motion for remand. If the Court retains jurisdiction over this case, the parties will file a stipulated motion to reset these deadlines within seven (7) days of the entry of the Court's order resolving Plaintiffs' motion for remand;

2. The deadline for Defendants to answer or otherwise respond to Plaintiffs' complaint are extended until fourteen (14) days after the Court enters an order resolving Plaintiffs' motion for remand; and

3. Plaintiffs' motion for remand (ECF No. 18) shall be re-noted for consideration on February 3, 2023, with the following briefing schedule:

EVENT	PROPOSED DEADLINE
<b>DEADLINE</b> for Defendants' Response to Plaintiffs' Motion for Remand	1/18/2023
<b>DEADLINE</b> for Plaintiffs' Reply in Support of Motion for Remand	2/3/2023
<b>NOTING DATE</b> for Plaintiffs' Motion for Remand	2/3/2023

It is so ordered.

DATED this 4<sup>th</sup> day of January, 2023.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE